

REMARKS

Examiner Linda Salvatore contacted one of the attorneys of record to report that the present application is subject to a restriction requirement. Applicant hereby confirms the election of Group I, Claims 1-7 for prosecution in this application.

Applicant, by the amendments presented above, has made a concerted effort to present claims which clearly define over the prior art of record, and thus to place this case in condition for allowance.

In the Office Action, the Examiner rejected claims 1-7, citing United States Patent Nos. 4,265,789 (Christopherson et al.) and 4,874,549 (Michalchik). Applicant respectfully submits that the aims of the cited patents are totally different to those of the present invention and respectfully points out that these documents simply have no bearing on the problems attendant to the production of an electrical heater, where the need is to have a carbon content across the width and length of the material such that the heat generated is totally uniform and essentially free of hot and cold spots.

It is not denied that carbon particles have been incorporated in a variety of carriers over many years. Also known is that control over carbon content influences the hardness or softness of the particular product at issue. A notional expert in the art would recognize immediately that the essence of the present invention is that it employs carbon in a carrier in such a manner that the product becomes a semi-conductor of electricity. This is highly significant. Semi-conductors generate heat, in sharp contrast to conductors of electricity that do not.

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What the notional expert would fully appreciate is that both of the references presently relied on by the Examiner are conductors, and the purposes for which they would be employed could not tolerate the generation of heat.

As a direct consequence of this, no expert in the art seeking solutions to problems requiring the generation of heat would give serious consideration to prior art where the generation of heat must essentially be avoided.

United States Patent No. 4,265,789 (Christopherson) unquestionably describes a conductive elastomer and is primarily concerned with achieving a balance of low and high GT phase compounds, to maintain a required thermo plasticity.

United States Patent No. 4,874,549 (Michalchik) seeks to provide a pressure sensitive electroconductive material that can serve as, for example, a pressure sensitive switch. In attempting to satisfy this aim, Michalchik goes to considerable lengths to show how carbon can be dispersed in a solvent system, such that the resultant material remains compressible, and the degree of compression causes a compression of the carbon particles, with a resultant reduction of its resistivity.

In view of the above Amendments and Remarks, Applicant respectfully submits that the claims of the application are allowable over the rejections cited in the Office Action. Should the present claims not be deemed adequate to effectively define the patentable subject matter, the Examiner is respectfully urged to call the undersigned attorney of record to discuss the claims in an effort to reach an agreement toward allowance of the present application.

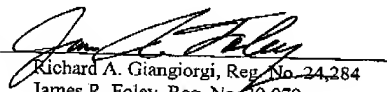
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Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

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